

Village of Webster  
Village Board Meeting  
January 26, 2017

Webster Community Meeting Hall  
29 South Avenue  
Webster, NY 14580

Present: Mayor Cahill, Trustee Balcaen, Trustee Ippolito Jr., Trustee Byerts, Trustee Lancy and Attorney Don White

## Public Comments

Richard Walter – 20 Elm Street – Questioned the Board and asked if there were any updates on the solar energy plans in regards to the Sewage Treatment Plant. Mr. Walter reminded the Board of a past Solar Energy Presentation and said this would be a good way to cut the sewer costs.

Trustee Byerts said he did contact two companies and he is waiting to hear back from them.

Peter Elder – 59 Dunning Avenue – Commented to the Board in regards to the Webster Herald printing the minutes from the Village Board Meetings. Mr. Elder said it was an initiative from the Webster Herald itself. He continued and said as long as the Village does not have to pay he hopes the Herald continues this action as it is informative to the Village Residents. Mr. Elder also inquired if any research had been done concerning Cable TV. He feels this venue could have many possibilities and put the Village on the cutting edge of communication with its residents.

Mayor Cahill wanted to clarify that he did not tell the Herald to publish the Village Board Minutes. He also spoke to Mr. Walter in regards to the BAN (Bond Anticipation Note) verses a Bond Issue from the last meeting concerning the payment of the new Cell Tower. Mayor Cahill explained his point was that the Board made the decision not to borrow the money thus saving the taxpayers approximately twenty three thousand dollars (\$23,000.00) and still having more than enough money in the unassigned reserve fund. Mayor Cahill also explained to Mr. Walter the monies owed on the painting and lining of the State Road water tank. He said in 2014 when the Water Department was closed two hundred seventy three thousand dollars (\$273,000.00) was transferred from the General Fund and we created a Debt Fund. He continued and said every payment that comes due and is paid annually on the relining and painting of the water tank comes out of that reserve fund that was established which came out of the water department and not annually out of taxpayer money.

## Village Board Business

Motion Trustee Lancy and Seconded by Trustee Balcaen to amend the Minutes of Village Board Meeting January 12, 2017, to state the quote of Attorney White related to Cable Access Television and the 1986 contract between the Village of Webster and the Town of Webster to read Attorney White said “I think there is an argument that it still is a valid contract.” Vote on Motion; Trustee Lancy – Aye, Trustee Balcaen – Aye, Trustee Ippolito Jr. – Abstain, Trustee Byerts – Nay, Mayor Cahill – Aye, motion passes.

Motion Trustee Byerts and Seconded by Trustee Balcaen to accept claims totaling: General – \$12,873.78, and Sewer – \$5,979.55 and Trust & Agency – \$647.80, all were in favor and carried.

Motion Trustee Lancy and Seconded by Trustee Ippolito Jr., to authorize payment to Lu Engineers in the amount of \$2,032.69 for professional services rendered in November 2016 for the North Avenue Connector Project to be paid from the North Avenue Connector Project Reserve Account, all were in favor and carried.

Motion Trustee Ippolito Jr. and Seconded by Trustee Balcaen to authorize Will Barham, Code Enforcement Officer to attend Stormwater Management Training class in March 2017 entitled “Maintenance and the New MS4 Permit” at a cost not to exceed \$100.00, all were in favor and carried.

Motion Trustee Ippolito Jr. and Seconded by Trustee Lancy to authorize an increase in salary for Chris Krawiec, Chairman to the Planning Board from \$79.86 per quarter to \$102.61 per quarter, all were in favor and carried.

Motion Trustee Balcaen and Seconded by Trustee Byerts to authorize any Village employee who is paid quarterly and who leaves employment prior to the expiration of their term, their prorated quarterly salary will be paid on the next biweekly pay period, all were in favor and carried.

Motion Trustee Balcaen and Seconded by Trustee Ippolito Jr., to authorize any Village employee who is paid quarterly a prorated amount to be paid to them should they start their position of employment after the beginning of the quarter, all were in favor and carried.

Motion Trustee Ippolito Jr. and Seconded by Trustee Lancy to authorize the final paycheck to be issued to Peter Adams, resigned Chairman of the Planning Board, in advance of the normal quarterly payroll for Board Members, all were in favor and carried.

## Attorney

Attorney White said he has received the survey for the new cell tower parcel along with the legal description. He said he sent it with a “proposed schedule A” to Dick Metzger at MCWA for Water Authority Board approval so it could be added to the lease. He said the Village Board would then need a resolution to approve it. He explained that the separate parcel will not be part of the leased area under the retail lease agreement with MCWA.

Attorney White also made mention to the Board that Scenic Village Townhomes will have a special meeting with the Planning Board on February 8, 2017. He explained the proposal that the Planning Board and the Village Board will be asked to accept cash or cashier check or a wire transfer of funds which will be held in escrow by Attorney White. He said he would prefer this in lieu of the line of credit or the performance bond because there is no third party to be dealt with in case the work does not get done then the Village would already have the money to finish the project. Attorney White asked the Board if the majority of them were alright with this arrangement. Attorney White said the proposed amount will be decided on in the meeting along with a time frame to get the project done.

Mayor Cahill said the residents have been dealing with this for quite a few years and nothing has been done to the roadway as it is in significant disrepair. Mayor Cahill said in his opinion, Mr. Fico, the developer has not been working in the homeowners' best interests. Mayor Cahill said he does appreciate the fact that Mr. Fico has put together a letter of credit to rectify the problem. He also believes the homeowners' appreciate it.

Attorney White said he did notify Mr. Fico's attorney of the special Planning Board Meeting scheduled on February 8, 2017.

## Office

The financial statements for December 2016 were reviewed. Krystina Lizak, Treasurer reviewed with the Board budget workshop dates and suggested January 31, February 28, and March 14, 2017. She said she would look into additional dates for budget review workshops.

## Code Enforcement

Will Barham, Code Enforcement Officer, reviewed with the Board the annual building report for 2016. Mr. Barham said 104 East Main Street has gone into foreclosure and Chase Bank does own it. He said he received a phone call from a contractor who works for Safeguard the company who works for Chase Bank and is currently cleaning the inside of the property. He said the contractor has two bids for Chase Bank one to restore the property and another to demolish the property. Mr. Barham also said he has heard from a realtor who specializes in foreclosures and is interested in the property for an investor. The investor would like to restore the house.

Will Barham reminded the Board of the fact that Monroe County will not recoup funds for demolishing a property.

Mr. Barham said this is the annual report and we had a good year. He said permit fees were over forty five thousand dollars (\$45,000.00) for the year. He said the numbers of everything have increased except for new commercial buildings and percentage wise everything went up as far as permits.

## Department of Public Works

Jake Swingly, Superintendent of Public Works, reviewed with the Board and discussed street lighting and changing them over to LED. He also said the new Christmas lights will be ordered soon and he will be able to save 20% on the cost because of the time of the order.

Mr. Swingly took a moment to thank everyone for their support during his family's time of need as he was out a week longer because of unfortunate happenings.

He said this is budget time and he and Will Barham are again going to look into the community development block grant program for sidewalks. He said the new vehicle should be here next week

and he will keep up with the vehicle replacement policy. He will also look into the schedule for streets and gutters, paving and micro-paving. He also will consider tree grants, maintenance grants and utilize that for a new leaf vacuum with a 25% match program. Mr. Swingly said the cell tower project is moving forward with Don Carpenter, consultant of CCG, and Lu Engineers to put together specs. The bid packet and updated specs will be available and discussed in the workshop on January 31. He would like to have the advertisement ready by February 9, 2017. He would also like to receive bids between February 17<sup>th</sup> through the 20<sup>th</sup> and then award to the bidder on February 23, 2017. Mr. Swingly said if this schedule works the new cell tower may be on site by mid April 2017.

Mr. Swingly said the digester at the STP is being emptied out. There is a big compressor that has been there for a week to break up the mass from the bottom of the tank. The material is being transferred out but the cover is still on the tank to provide a platform to work on until it is emptied further.

Trustee Byerts gave an update to the Board in regards to contacting Supervisor Nesbitt and the Webster Town Board for a meeting to discuss the cable 12 and the franchise issue. He said Supervisor Nesbitt did agree to meet with the Village Board at a workshop on February 14, 2017 but that will not be possible so another date will be determined. Trustee Byerts also said he did receive the information he requested from Supervisor Nesbitt regarding the Town cable franchise revenue amounts for the years requested. He read aloud through the letter in regards to the percentages according to the 1986 contract for the years 2011 through 2016. Trustee Byerts said the information received from the Town looks similar to our percentages. Trustee Byerts continued to read an additional letter from Supervisor Nesbitt in regards to setting up another meeting which said “I talked to the other Town Board members on Thursday January 19<sup>th</sup> and they currently feel comfortable with the 1986 Contract which is in place and presently happy with our current arrangement without setting up any additional meetings at this time.” Trustee Byerts said it seems they do not want to meet but part of our discussion would have been “when are we going back on to cable access channel 12.” Trustee Byerts concluded and said that is where we are.

Mayor Cahill asked Trustee Byerts to make a follow up phone call to Supervisor Nesbitt to ask if there are any specific reasons why the Town Board does not want to meet.

Trustee Byerts replied it seems as if they are comfortable but I will call.

## Executive Session

Motion Trustee Ippolito Jr. and Seconded by Trustee Balcaen to enter Executive Session at 8:43 p.m., to discuss CSEA Union and Village contract negotiations, all were in favor and carried.

Motion Trustee Balcaen and Seconded by Trustee Ippolito Jr. to exit Executive Session at 9:17 p.m., all were in favor and carried.

## Adjournment

Motion Trustee Balcaen and Seconded by Trustee Ippolito Jr. to adjourn the meeting at 9:19 p.m., all were in favor and carried.

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Josette Amalfi, Village Clerk

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John J. Cahill, Mayor